

**UNITED STATES DISTRICT COURT
for the
DISTRICT OF MASSACHUSETTS**

BLACKWELL PUBLISHING, INC.,)	
ELSEVIER, INC.,)	
ELSEVIER B.V.,)	
WALTER de GRUYTER GmbH & CO. KG)	
MASSACHUSETTS MEDICAL SOCIETY)	
WILEY-LISS, INC.,)	
and)	Civil Action No. 04-100050-NG
WILEY PERIODICALS, INC.,)	
)	
Plaintiffs)	
)	
v.)	
)	
FEDERAL STATE OF NORDRHEIN-)	
WESTFALEN, GERMANY, d/b/a ZBMED)	
)	
Defendant.)	

JOINT MOTION TO CONTINUE STATUS CONFERENCE

The parties hereby move to continue the status conference in this action, previously scheduled for September 7, 2005, approximately thirty (30) days to October 7, 2005, or to any date thereafter that is convenient for the Court.

As grounds for this motion, the parties state the following:

1. The status conference in this action was scheduled to take place September 7, 2005 at 3:00 p.m.
2. Counsel for the parties contacted the Magistrate Judge's secretary, Eileen Feeney, by telephone, to request that the conference be postponed in light of the progress made in ongoing settlement negotiations. She requested that the parties file this Joint Motion with the Court to apprise the Court of their reasons.

3. The agreement that the parties have been negotiating is intended to settle not only the case captioned above, but also a companion case brought in the United Kingdom by a somewhat different set of plaintiffs. Settlement negotiations have thus involved two sets of claims, two sets of defenses, and four sets of counsel, not to mention the fact that one of the parties (the Defendant) is an agency of the German government. This complexity has made the agreement complicated and negotiations much more time-consuming than would otherwise be the case.
4. The parties believe that they have nevertheless reached agreement on all major settlement issues. However, two or three rather technical issues remain to be resolved in order to have a document that all parties can sign. The parties hope to reach resolution on those issues and circulate a Settlement Agreement for execution within the next two to three weeks.

WHEREFORE the parties respectfully request that the Status Conference be rescheduled for October 7, 2005, or any date thereafter.

BLACKWELL PUBLISHING, INC.,
ELSEVIER, INC.,
ELSEVIER SCIENCE B.V.,
WALTER de GRUYTER GmbH & CO. KG
WILEY-LISS, INC., and
WILEY PERIODICALS, INC.,
Plaintiffs,

By their attorneys,

Dated: September 6, 2005

/s/ William S. Strong
/s/ Amy C. Mainelli
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FEDERAL STATE OF NORDRHEIN-
WESTFALEN, GERMANY d/b/a ZBMED,

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WSS/elsevier/zbmed/assented motion to continue 9.6.05